

**PLANNING BOARD
RULES AND REGULATIONS GOVERNING
THE SUBDIVISION OF LAND**

Adopted: March 21, 2000

SECTION 1000. PURPOSE AND AUTHORITY

1100. PURPOSE

These subdivision rules and regulations are hereby enacted, in accordance with the provisions of M.G.L. c. 41, s. 81M, for the purpose of protecting the safety, convenience, and welfare of the inhabitants of the Town of Marion, by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and in proper cases parks and open areas. The powers of the Planning Board and of the Board of Appeals under these regulations and the subdivision control law shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for lessening congestion in such ways and in the adjacent public ways; for securing safety in the case of fire, flood, panic, and other emergencies; for insuring compliance with the zoning by-law, for securing adequate provision for water, sewerage, drainage, underground utility services, fire, police, and other municipal equipment, and street lighting and other requirements where necessary in a subdivision; and for coordinating the ways in a subdivision with each other and with the public ways in the town, and with the ways in neighboring subdivisions.

1200. AUTHORITY

These Rules and Regulations have been adopted under the authority vested in the Planning Board of the Town of Marion by G.L. c. 41, s. 81Q, as amended. The Planning Board shall be the agency responsible for the administration of the Rules and Regulations and shall have all of the powers assigned to it by G.L. c. 41, ss.81K to 81GG, inclusive.

1300. APPEAL

Any person, whether or not a party to the proceedings, aggrieved by any decision of the Planning Board concerning a plan of a subdivision or by the failure of the Board to take final action concerning such a plan within the required time, or any municipal officer or board, may appeal in accordance with M.G.L., Ch. 41, s. 81BB, provided that such decision has been recorded in the office of the Town Clerk or within twenty (20) days after the expiration of the required time as aforesaid, as the case may be, and notice of such appeal is given to the Town Clerk so as to be received within twenty (20) days. The Court shall hear all pertinent evidence and determine the facts and upon the facts so determined, shall annul such decision if found to exceed the authority of such board, or make such other decree as justice and equity may require. The foregoing

remedy shall be exclusive, but the parties shall have all rights of appeal and exceptions as in other equity cases.